FOR MYSORE STATE

Rural Welfare (1953) Department.

MS SERIES.

G.O. NO. 1153.

Dated 14 – 9 – 1953

Passed
Engdh

[Despatch Abstract.]

D.K & C.E – Sri Mahalinga Shetty – E.O – Sri Kanya Janardhana Temple, Mallar – Udipi taluk – S. Kanara Dt. – Extension of service for a period of one year – Sanctioned

C.F. 32 14,67,656—21-3-52.

H.R. & C.E., Adm. Department

From (Name) Sri C. Narasimham I.A.S.

Designation Commissioner,

Station Madras.

Received ____ Registered ____

To

The Secretary to Government,
Rural Welfare Department,
Fort St. George.
Madras.

Enclosures: Letter No. 12909/53-Estt.19 dated 17th July 195 3

20 JUL 1953

RURAL WELFARE DEPARTMENT

52926 S/L

Sir,

Sub:- Hindu Religious and Charitable Endowments-Executive Officers-Sri Mahalinga Shetty, Manager of Sri Kaupjanardana temple, Mallar, Udipi Taluk South Kanara District-superannuated-further continuance in service-orders requested.

As per Rule 21 of Part I of the rules framed in G.O.Ms.No.182 R.W. dated 5-2-53, the date of compulsory retirement of an Executive Officer is the date on which he attains the age of fifty-five years. He may, if his retention after that date is necessary in the public interest, be retained in service after that date till he attains the age of 60, under the special order of Government, provided that such extensions are made year after year.

2. Sri M. Mahalinga Shetty, Manager of Sri Kaupjanardana temple, Mallar, Udipi Taluk, South Kanara District is now 57 years old, his date of birth being 12-1-1896. The Assistant Commissioner, Mangalore, who was requested to terminate the services of the superannuated Manager, has stated (copy enclosed) that in the interests of the temple, the said person may be allowed to continue in service for one more year. The Assistant Commissioner states that the Executive Officer works honorarily, as the finances of the temple are meagre, that the manager has been directed to take steps to set aside the unlawful alienations of trust properties, and that for this purpose funds will have to be found elsewhere, as there are no sufficient temple funds.

3 In the circumstances stated it seems necessary to allow the present Manager, Sri Mahalinga Shetty, to continue in service for one more year. I request that Government may be pleased to pass orders granting an extension of service for one year.

COMMISSIONER.

Encl: 1
SN/17-7

Office of the Assistant Commissioner,
H.R. & C.E., (Adm) Department
Mangalore.

Letter No. A4/1298/53.5 dated 27-6-53.

To

The Commissioner,
Hindu Religious and Charitable Endowments,
Madras.

Sir,

Sub:- Paid Officers of religious institution-preparation of seniority list particulars report.

Ref:- Memo No.18485/53 Estd/23-6-53.

The ommission to include the name of Sri Mahalinga Shetty the superannuated Manager of Sri Kaup Janardhana temple, Mallar Udipi in this office Letter No.1168/53 dated 20-4-53 was a mistake occurred during the time of my predecessor in office. It is however imperative in the interest of the temple to continue him in service. The temple had been subjected to thorough mismanagement in the past. A large portion of the temple lands has been alienated and the income of the temple is hardly sufficient to meet its expenditure. The present manager Sri Mahalinga Shetty who works honorarily is a local man having considerable influence in the locality and hence he has been persuaded to be the manager. It is difficult to get another man for the temple who would be willing to work honorarily and even if one is appointed he may be able to do little by way of rectifying the past misdeeds. The present Manager has been directed to take legal proceeding to set aside the alienations for which funds will have to be found elsewhere. This is the unfortunate position of this temple. I have been asked to send the connected records for addressing the Government for retaining him in service. I may be informed whether the old temple-war files are required or what other records are required. I shall submit such of the records which are available here on instructions.

I may also submit in this connection that this Manager has not so far drawn any remuneration from out of the temple funds.

(True Copy)

SN/17-7

17.7.53

Rec. ℓ

Memo no. 52926R.wi/53 d. 23.7.53

Sub. Bom h.c.C.P.

Ref. from the bomm. Lr no. 12909/53 C.III.19 d 17.7.53

In para 2 of his ref. cited the bomm. H.R. for the Dom. has requested from M. Maharaniya Shetty, manager of Kanyakamaradamma temple, Mallar S. Division Dt Works Form and Rules framed under Part I of the (5) 18.2 Rule d 5.2.53 relate to paid E.O. and The bomm is requested to examine if such a fee will be proper having regard to the duties and responsibilities of the Mahaniya Shetty under Rule 21 of the rules referred to above.

To the bomm Hr. for the Dom.

22.7.53

22/7/53

C.F. 32 - 14,67,656—21-3-52.

H.R. & C.E., Adm. Department

From (Name) Sri T.K. Sankaravadivelu I.A.S.

Designation

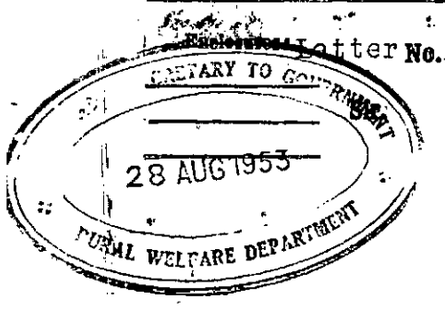
Station Commissioner, Madras.

Received Registered 61585

To

The Secretary to Government,
Rural Welfare Department,
Fort St. George,
Madras.

Letter No. 12909/53 Estt.21 dated 24th August 1953



Sub:- Hindu Religious and Charitable Endowments-Sri Mahalinga Shetty-Manager of Sri Kaup Janardana temple-Mallar-Udipi Taluk-South Kanara District-Superannuated-Further continuance in service-orders requested.

Ref:- 1. My letter No.12909/53 Estt.19 dated 17-7-53 and
2. Government Memo No.52926 R.W.V/53-1 dated 23-7-53.

With reference to the Government memo cited, I am to report that the administration of Sri Kaup Janardana Temple, Mallar, Udipi Taluk, South Kanara District is governed by a scheme settled by the ex-Hindu Religious Endowments Board, in its order No.2758 dated 2-10-1942 and modified in its order No.1018 dated 23-3-48, and that the scheme provides for the appointment of a paid Manager whose salary and the conditions of service were governed by the provisions of Board's order No.2001 dated 20-7-42. (A copy of the scheme together with the modification thereto, is enclosed).

Sri M. Mahalinga Shetty was appointed as the Manager of the temple, by the Hindu Religious Endowments Board in its order No.4201 dated 2-11-48 (copy enclosed) on a salary of Rs.50/- and a Dearness Allowance of Rs.16/- P.M. to be drawn from out of the funds of the temple. His conditions of service were governed by the provisions of Board's order No.2001 dated 20-7-42. When B.O.No.2001 dated 20-7-42 was replaced by the Rules framed by Government in G.O.Ms.No.182 R.W. dated 5-2-53, the said rules automatically become applicable to the Manager.

Though the salary and the allowance of the Manager were fixed in the order of appointment, he has not so far drawn any remuneration from out of the funds of the temple, in view of its poor financial position. Even though he does not receive any remuneration, his services are still governed by the Rules framed G.O. Ms.No.182 R.W. dated 5-2-53, which replaced the provisions

-2-

in B.O.No.2001 dated 20-7-42. For the reasons stated above, I am of opinion that the Rules referred to above are applicable to the Manager.

I request that Government may be pleased to grant an extension of service for one year, to Sri Mahalinga Shetty, under rule 21 of Part I of the Rules referred to above.

S. V. Agasi
26.8

FOR COMMISSIONER.

ENCL: Scheme copy.
Copy of the appointment order.

SN/26-8

Before the Board of Commissioners for Hindu Religious Endowments,

880/4
11.11.42

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B o a r d a

Pres

Sri P. Kesavara Rao, B.A., B.L.,

A.S. Ramadi Nair Esq., M.A.,B.L., Barrister-at-law. } Commissioners.

O.A. No. 407 of 1941.

In the matter of Sri Kaup Jamardhana temple, Mallar, Udipi Taluk, South Kanara District.

Proceedings under section 57 of the Madras Hindu Religious Endowments Act, 1926, (Madras Act II of 1927) for the settlement of a scheme of administration for the above temple and its endowments.

Board's Order No. 8768 dated 2-10-1942.

This case having come on for final hearing today in the presence of Sri M. Srinivasa Rao, B.A.,B.L., Advocate for the Murahi,pers, the Board after considering all the materials placed before it passes the following order:

Whereas the Board is satisfied in the interests of better management of the endowments of the above temple, a scheme of administration is necessary, the Board after ~~summarily~~ consulting the trustees and other persons having interest therein, settles the following scheme under section 57 of the Madras Hindu Religious Endowments Act, 1926, (Madras Act II of 1927.)

S C H E M E.

1. This scheme shall come into force from the date of this order.

2. The administration of Sri Kaup Jamardhana temple, Mallar, Udipi Taluk, South Kanara District and its endowments shall vest in three non-hereditary trustees to be appointed by the Board.

2 (a) The Board may, if it is satisfied that representations should be given to the 5 villages of Mallar, Kulur, Padoor, Ullarboli and Mallola, appoint 5 persons as trustees each to represent a village.

3. The Board may appoint a paid manager to carry on the day to day administration of the temple. He shall be paid from out of the temple funds such salary not exceeding Rs. 45/- per mensem as is fixed by the Board. The manager shall, before taking charge of

office, furnish security in the sum of Rs. 1000/-

4. The manager shall be liable to be punished, suspended, dismissed or removed for good and sufficient cause by the Board whose decision shall be final.

5. The manager shall be in charge of the day-to-day administration of the temple and its endowments. He shall be the person entitled to receive temple income and make disbursements. He shall maintain regular accounts and be in charge of the records, jewels and other movables of the temple and cash belonging to the temple. The servants of the temple shall work under the immediate control of the manager.

6. The manager shall, three months before the end of a fasli, prepare a budget showing the probable income and expenditure for the succeeding fasli and place it before the meeting of the trustees. The budget as passed by the trustees shall be submitted to the Board which shall have power to sanction it with such modifications as it may deem fit. No expenditure shall be incurred over and above the amount sanctioned in the budget without the previous permission of the Board.

7. The manager shall deposit temple moneys over and above Rs. 50 in an approved bank in the name of the temple, and shall be the person authorised to operate on the bank account.

8. The trustees shall within a month after their appointment meet and elect one among themselves as the managing trustee. If they fail to do so within that period, the Board shall have power to nominate one of them as the managing trustee.

9. The trustees shall meet once in three months and oftener, if necessary, in the precincts of the temple for passing temple accounts and budget and generally for the transaction of temple business. The managing trustee shall ordinarily preside at such meetings and in his absence, his nominee among the other two trustees. The quorum of the trustees' meeting shall be two. The manager shall be present at such meetings and shall furnish whatever information is required by the trustees.

13

10. If for any reason the budget is not passed by the trustees within one month after it is submitted by the manager, the manager shall forward it direct to the Board without the remarks of the trustees.

11. The trustees shall have power at all times to check the accounts maintained by the manager and verify the cash etc., in his custody and exercise general supervision over the manager and other temple servants.

12. The Board shall have power to issue directions from time to time to regulate the internal management and ensure the proper working of the provisions of the scheme.

13. Save as herein before provided, the provisions of Madras Act II of 1927 and the rules and bye-laws framed thereunder shall apply to the temple and its endowments.

A. Balakrishnan.
Secretary.

F o r w a r d e d.
(By order)

Superintendent.

Note: Annexure to this order containing the grounds of the above decision will be furnished on receipt of a copy application duly stamped with two annas court fee stamp together with the postal and copying charges amounting to Re.1.

1. Sri Chandraraja Bavanta Ladda Hedge, trustee of the temple.
2. Sri K. Mahalinga Shetty, trustee of the temple.
3. Sri K. Srinivasa Rao, B.A., B.L., Advocate, 84, Brodies Road, Mylapore, Madras.
4. The Inspector, Hindu Religious Endowments, Udipi with an addition
5. copy of B.C. for affixture and report.
6. Adm. Section.
7. Revenue section.
8. B.C. File.
9. Extra.

Nos. 4 to 9 with copies of annexure.

RJ.

Before the Board of Commissioners for Hindu Religious Endowments, 15

Madras.6.

Presnet.
A.S.M.Nair, Esqr., B.A.,B.L., Barrister-at-law.,
and
Sri B.V.Krishna Rao. M.A., B.L., ..Commissioner.

O.A.No.221 of 1947.

In the matter of Sri Kaup Janardhana Temple, Mallar, Udipi Taluk, South Kanara Dist- Proceedings under Sec.57(5) of the Madras Hindu Religious Endowments Act, 1926, (Madras Act II of 1927) for the modification of the scheme of administration settled for the above temple and its Endowments, in B.O.No.2758 Dated 2-10-1942.

Board's Order No.1018 Dated 23-3-1948.

This case having come on for final hearing on 19-3-48 in the presence of Sri T.N.Sundaresa Iyer for Sri S.Ramayya Nayak, Advocate for the Ex. Interim Trustee, and having stood over for consideration till this day, the Board hereby modifies the scheme of administration settled for the above temple and its Endowments in B.O.No.2758 dated 2-10-1942, in the following manner, under Section 57(5) of the Madras Hindu Religious Endowments Act, 1926 (Madras Act II of 1927).

Modifications.

In the scheme settled by the Board's Order No.2758 dated 2-10-1942, for clauses 3 and 4, substitute the following clause:-

"3. The Board shall have power to appoint a manager for the temple to carry on the day to day administration of the temple. His salary shall come out of the funds of the temple. The salary and scale of his salary and the conditions of his service shall be governed by the provisions of Board's Order No.2001 dated 20-7-1942 as modified from time to time."

II.Clauses 5 to 13 shall be renumbered as 4 to 12.

S.Balakrishnan,
Secretary.

Forwarded/By Order

Superintendent.

Note:- The annexure to this order containing the grounds of the above decision will be furnished on receipt of a copy application for the same duly stamped with 2 as. court fee stamp together with copying and postal charges amounting to Rs.2-4-0.

To Sri Puttanna Bhatta,)
2. Sri Deju Shetty,)Trustees of the temple, Mallar,
3. Sri Kuddi alias Muddanna Hegde,)Udipi taluk, South Kanara District.
4. Sri M.Mahalinga Shetty, Ex. Interim trustee, of the temple.
5. Sri S.Ramayya Nayak, Advocate, 58 Law Chambers, High Court, Madras.
6. The Treasury Deputy Collector, Mangalore, South Kanara District (with a covering letter)
7 & 8 The Asst.Commissioner, H.R.E.Mangalore, S.Kanara Dt. (with an extra copy for affixture to the temple and report and with an copy of annexure for His office file.) Encls:2.
9. Adm.section with a copy of annexure.
10.B.O.File. -do-
11.12 Extras -do-

(True Copy)

Asst.Commissioner.

5. Miscellaneous Receipt No.7567 dated 23-6-48 for the sum of Rs.500/- being the security amount remitted by him is enclosed.

V.S.Row.
Secretary.

Forwarded/By order

Superintendent.

To
1.Sri M.Mahalinga Shetty, Potail, of Mallar village, Udipi Taluk. S.K.Dt.
Copies to 1)Trustees, etc. 2) The Asst.Commissioner, H.R.E.Mangalore, 3) Rev. section, 4) Audit section, 5-6 Extras. 7 General.

true copy)

Asst.Commissioner.

Office of the Hindu Religious Endowments Board, Madras-6.

Board's Order No.4201 dated 2-11-48.

Sub:- Appointment of manager - Sri Kaup Janardhana temple, Mallar, Udipi Taluk, South Kanara District - Sri M.Mahalinga Shetty - appointed.

Read:- 1. Board's order No.2758 dated 2-10-42 as amended by B.O.1018 dated 23-3-48 settling a scheme for the administration of the temple.
2. Report No.1998/47-3 dated 26-6-48 from the Asst.Commr. H.R.E. Mangalore.

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In exercise of the powers vested in the Board under clause 3 of the amended scheme governing the temples the Board hereby appoints Sri M.Mahalinga Shetty, potail of Mallar village, Udipi Taluk, South Kanara district as the manager of the temple on a salary of Rs.50/- (fifty only) and a dearness allowance of Rs.16/- (sixteen only) per mensem to be drawn from the funds of the temple.

2. He shall be on probation for a period of two years.

3. His conditions of service will be governed by the provisions of Board's order No:2001/42 dated 20-7-42 as amended from time to time.

4. He is hereby exempted from possessing the necessary educational qualifications and also from the age limit. He should enter upon his duties forthwith and report the date of joining.

P.T.O.

R.W.(V). 19

H.R.& C.E. - Sri Mahalinga Shetty - E.O. - Sri Kaup Janardhana Temple, Mallar - Udipi taluk - S.Kanara Dt. - Extension of service for a period of one year - Sanctioned.

Read the following:-

From the Commr., H.R.& C.E.(Adm.) Dept., No. 12909/53-Estt.19, dated 17-7-53.
From the Commr., H.R.& C.E.(A) Dept., No. 12909/53-Estt.21, dated 24-8-53.

ORDER: (Ms) 1153 Dt. 14-9-53.

In his reference first cited, the Commr., H.R.& C.E.(A) Dept. has recommended that sanction may be accorded for the continuance of Sri Mahalinga Shetty, E.O., Sri Kaup Janardhana temple, Mallar, Udipi taluk, S.K.Dt., who is now 57 years of age as Executive Officer for a period of one year ~~from the date of the order~~ for the following reasons:-

The Sri Kaup Janardana temple had been subject to thorough mismanagement in the past. A large portion of the temple lands has been alienated and the income of the temple is hardly sufficient to meet its expenditure. Sri Mahalinga Shetty who works honorarily is a local man having considerable influence in the locality. He is willing to work honorarily in his place and even if one is appointed, he may be able to do little by way of rectifying the past misdeeds. Sri Mahalinga Shetty has been directed to take legal proceedings to set aside the alienations.

2. The Govt. accept the recommendation of the Commr. and permit under Rule 21 of the rules issued in G.O.Ms.No.182, R.W., dated 5-2-53, the retention of Sri Mahalinga Shetty as Executive Officer of Sri Kaup Janardana temple, Mallar, Udipi taluk, S.K.Dt. for a further period of one year from the date of the order.

To the Commr., H.R.& C.E.(A) Dept., Madras.
Copy to the Examiner of L.F. Accts., Madras.

S/C S/F.

52926.
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Rural Welfare Dept. (V).

Sub: H.R.& C.E. - Sri Kaup Janardana temple, Mallar, Udipi taluk, S.K.Dt. - Executive Officer, Sri Mahalinga Shetty - Superannuated - Further continuance in service.

Ref: From the Commr., H.R.& C.E.(A) Dept., No.12909/53-Estt-19, dated 17-7-53.
Govt.Memo.No.52926-R.W.V/53-1, dated 27-7-53.
From the Commr., H.R.& C.E.(Adm.) Dept., No.12909/53-Estt.21, dated 24-8-53.

Under Rule 21 of Part I of the rules framed in G.O. Ms.No. 182, R.W., dated 5-2-53, the date of compulsory retirement of an Executive Officer is the date on which he attains the age of fifty-five years. He may, if his retention after that date is necessary in the public interest, be retained in service after that date till he attains the age of 60, under the special order of Government, provided that such extensions are made year after year.

2. Sri M. Mahalinga Shetty, Manager of Sri Kaup Janardana temple, Mallar, Udipi taluk, S.Kanara Dt., is now 57 years old, his date of birth being 12-1-1896. The Commr. has recommended that Sri Shetty may be granted an extension of service for one year for the following reasons:-

The temple had been subject to thorough mismanagement in the past. A large portion of the temple lands has been alienated and the income of the temple is hardly sufficient to meet its expenditure. The present manager, Sri Mahalinga Shetty who works honorarily is a local man having considerable influence in the locality and hence he has been persuaded to be the manager. It is difficult to get another man for the temple who would be willing to work honorarily and even if one is appointed, he may be able to do little by way of rectifying the past misdeeds. The present Manager has been directed to take legal proceedings to set aside the alienations ~~for which funds will have to be found elsewhere~~.

The recommendation of the Commr. may be accepted and Sri Mahalinga Shetti may be granted an extension of service by one year from the date of the order. For orders.

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
7-SEP 1953
RURAL WELFARE DEPARTMENT

SECRETARY TO GOVERNMENT
7-SEP 1953
RURAL WELFAR DEPARTMENT

4/9/53 4.9.53

5/9/53 5/9/53

M(RR)